

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

CLIFFORD EATON,
Plaintiff,
v.
VERIZON WIRELESS,
Defendant.

Case No. 13cv1106 MJD/JJK

COMPLAINT
[Jury Trial Demanded]

COMES NOW plaintiff, Clifford Eaton, pro se, and for his complaint against defendant, Verizon Wireless, states and alleges as follows:

1. This is a lawsuit seeking redress for violations of the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681, et seq.

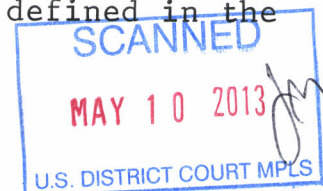
2. The Court has jurisdiction to entertain the case pursuant to 15 U.S.C. § 1681p and 28 U.S.C. § 1331.

3. Venue is proper because the defendant maintains a physical presence and conducts business within the district.

4. Plaintiff, Clifford Eaton ("Eaton"), is a natural person residing in Otisville, New York. Eaton is a "consumer" as defined in the FCRA.

5. Defendant, Verizon Wireless ("Verizon"), is a national telecommunications company that conducts business throughout the United States and maintains a Financial Services office in Minneapolis, Minnesota. Verizon is a "furnisher of information to consumer reporting agencies" as defined in the FCRA.

6. On various dates in 2012, Eaton obtained copies of his credit reports from Equifax, Experian, Trans Union, and Innovis, all of which are "consumer reporting agencies" as defined in the



FCRA.

7. Each of the credit reports Eaton received contain a delinquent account with a balance of \$1,358.00 reported by Verizon.

8. Eaton has never contracted for Verizon Wireless telephone service or otherwise entered into any contractual agreement with the company.

9. On April 25, 2012, Eaton submitted a dispute concerning the Verizon account to Equifax for investigation.

10. On June 29, 2012, Eaton submitted a dispute concerning the Verizon account to Experian for investigation.

11. On July 3, 2013, Eaton submitted a dispute concerning the Verizon account to Trans Union for investigation.

12. On July 6, 2012, Eaton submitted a dispute concerning the Verizon account to Innovis for investigation.

13. Equifax, Experian, Trans Union, and Innovis informed Eaton that Verizon verified the information it reported as accurate, and further, that it would remain in his credit history.

14. Eaton sent several letters directly to Verizon disputing the debt and requesting documentation which would establish liability for same on his part.

15. Verizon informed Eaton that the debt was valid, with a balance due of \$1,766.28, but did not provide any documentation establishing liability.

16. Verizon failed to conduct a meaningful investigation of Eaton's disputes and continues to furnish derogatory information

to consumer reporting agencies for inclusion in Eaton's credit history.

17. Verizon violated 15 U.S.C. § 1681s-2(b)(1)(A), in that it failed to conduct an investigation of Eaton's disputes.

18. Verizon violated 15 U.S.C. § 1681s-2(b)(1)(C), in that it reported inaccurate, incomplete, false, and misleading results of any purported investigation of Eaton's disputes to consumer reporting agencies.

19. Verizon violated 15 U.S.C. § 1681s-2(b)(1)(D), in that it failed to notify consumer reporting agencies that the information it furnished for inclusion in Eaton's credit history is inaccurate, incomplete, false, and misleading.

20. Verizon's unlawful conduct was willful, in that it is part of a policy, practice, and custom.

21. As a direct and proximate result of Verizon's unlawful conduct, Eaton has suffered damages, including lowered credit score, damage to credit reputation, and emotional distress.

WHEREFORE, Eaton respectfully moves for Judgment in his favor and against Verizon for the following:

A. Actual damages in an amount to be determined, or statutory damages in the amount of \$1,000.00, pursuant to 15 U.S.C. § 1681n(a)(1)(A) and/or 15 U.S.C. § 1681o(a)(1);

B. Punitive damages in an amount to be determined pursuant to 15 U.S.C. § 1681n(a)(2);

C. Costs and attorney's fees incurred pursuant to 15 U.S.C. § 1681n(a)(3) and/or 15 U.S.C. § 1681o(a)(2); and

D. Any further relief deemed just and proper by the Court.

Dated this 7th day of May, 2013.

A handwritten signature in black ink, appearing to read "Clifford Eaton", written over a horizontal line.

CLIFFORD EATON
Plaintiff, pro se
Register No. 12878-074
Federal Correctional Institution
P.O. Box 1000
Otisville, NY 10963-1000